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P/4976-38

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In-re Patent Application of

Marie-Claire GROSJEAN-COURNOYER et al.

Date: October 26, 2009

Serial No.: 10/588,532

Group Art Unit: 1617

Filed: October 12, 2006

Examiner: Pihonak, S.

For: FUNGICIDAL COMPOSITION COMPRISING A PYRIDYLETHYLBENZAMIDE  
DERIVATIVE AND A COMPOUND CAPABLE OF INHIBITING THE SPORES  
GERMINATION OR MYCELIUM GROWTH BY ACTING ON DIFFERENT  
METABOLIC ROUTES

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**AMENDMENT AND RESPONSE**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This response is in reply to the final Office Action mailed August 24, 2009, in the above-identified application. Reconsideration of the application is respectfully requested.

**FEE CALCULATION**

The terminal disclaimer fee of \$140 was charged on June 2, 2009, to Deposit Account No. 15-0700.

No additional fee is required.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed, or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

**Application Number 10/588,532**  
**AMENDMENT of October 26, 2009**  
**Response to Office Action of August 24, 2009**

**CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period has elapsed and no separate petition is enclosed, the Director of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding office action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to Deposit Account No. 15-0700.

**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.